

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN**

HIP HOP BEVERAGE CORPORATION,
Plaintiff,

vs.

Case No.: 13-CV-00412

KRIER FOODS, INC.,
Defendant and Third-Party Plaintiff,

WB WAREHOUSING AND LOGISTICS, INC.,
Defendant,

DOES 1-10,
Defendants,

vs.

BALL CORPORATION,
Third-Party Defendant.

ORDER

Whereas defendant and third-party plaintiff, Krier Foods, Inc., and third-party defendant, Ball Corporation, submitted a joint stipulation of dismissal, without prejudice, of all of third-party plaintiff's claims against third-party defendant pursuant to Rule 41 of the Federal Rules of Civil Procedure, with each party to bear its own costs and attorney fees; The court, having reviewed the stipulation of dismissal, and finding that good cause appears, orders that:

1. The third-party complaint of Krier Foods, Inc., against Ball Corporation is hereby dismissed without prejudice pursuant to Rule 41(a)(2) of the Federal Rules of Civil Procedure, with each party to bear its own costs and attorney fees.

2. Ball Corporation's pending motion to dismiss third-party complaint (ECF No. 88) is **DENIED** as **MOOT**.

Dated this 20th day of March, 2015.

s/ Lynn Adelman

LYNN ADELMAN
U.S. District Court Judge